

Exhibit

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

TTAB



04-22-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #61

BOYDS COLLECTION, LTD.,

Petitioner,

v.

HERRINGTON & COMPANY,

Registrant-
Respondent

Petition For Cancellation

Cancellation No: 32,146

Registration No: 2,372,585

Date of Issue: August 1, 2000

CERTIFICATE OF MAILING BY EXPRESS MAIL ET829639366US (Express Mailing Label No.) I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. 1.10 on **April 22, 2002** and is addressed to the Assistant Commissioner for Trademarks, 2000 Crystal Drive, Arlington, Virginia, 22202-3513.

Michael J. Cherskov
Name of Representative

[Signature]
Signature

Apr 22, 2002
Date of Signature

NOTICE OF RELIANCE

Pursuant to 37 CFR Section 2.122(c) BOYDS COLLECTION, LTD., ("Petitioner"), hereby submits to the Trademark Trial and Appeal Board within the time set for Plaintiff's testimony period, the following Exhibits that Petitioner intends to rely upon as evidence in its Main Brief.

Exhibit A Declaration of Petitioner Employee Kelly S. Ausherman

Exhibit B comprises one-page of a 1999 catalog.

Exhibit C comprises a 1990 one-page price sheet.

Exhibit D comprises a 1990 one-page price sheet.

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TRADEMARK TRIAL AND
APPEAL BOARD

In re: TBC HERRINGTON'S TEDDY BEAR CLUB
Cancellation No: 32,146
Testimony Period
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Exhibit E comprises one-page of a 1990 catalog.

Exhibit F comprises one-page of a 1989 catalog.

Exhibit G comprises one-page of a 1999 catalog.

Exhibit H comprises one-page of a 1990 catalog.

Exhibit I comprises one-page of a 1999 catalog.

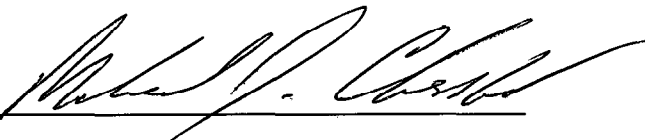
Exhibit J comprises one-page of a 1999 catalog.

Exhibit K comprises one-page of a 1999 catalog.

Exhibit L comprises one-page of a 1990 catalog.

Respectfully submitted,

CHERSKOV & FLAYNIK

By 

Michael J. Cherskov (PTO Reg. No. 33,664)
CHERSKOV & FLAYNIK
The Civic Opera Building, Suite 1447
20 N. Wacker Drive
Chicago, IL 60606
(312) 621-1330

Dated: April 22, 2002

Attorneys for the Petitioner